

EXHIBIT 1

INTRODUCTION

Respondent Martha Uribes was an Executive Secretary for the California State Assembly (the “Assembly”) from May 5, 2000 to December 31, 2000. She then left the Assembly and assumed office as a Press Secretary for the California State Senate (the “Senate”) on April 23, 2001. As an Executive Secretary and later a Press Secretary, Respondent has been a designated employee of the Assembly and the Senate, as defined in Section 82019, subdivision (c) of the Political Reform Act (the “Act”),¹ and in the conflict of interest codes for the Assembly and the Senate.

Under the conflict of interest code for the Assembly, each designated employee of the Assembly is required to file a statement of economic interests within 30 days of leaving office. On the statement of economic interests, the designated employee must disclose his or her reportable economic interests for the period between the closing date of the last statement of economic interests that the person was required to file, and the date of leaving office.

Under the conflict of interest code for the Senate, each designated employee of the Senate is required to file a statement of economic interests within 30 days of assuming office. On the statement of economic interests, the designated employee must disclose the reportable economic interests that he or she held during the 12 months prior to the date assuming office.

In this matter, after leaving her position with the Assembly, Respondent failed to file a leaving office statement of economic interests by the January 30, 2001 due date, and upon assuming her position with the Senate, she failed to file an assuming office statement of economic interests by the May 23, 2001 due date.

For the purposes of this Stipulation, Respondent’s violations are stated as follows:

Count 1: As a designated employee of the California State Assembly, Martha Uribes failed to file a leaving office statement of economic interests by January 30, 2001, in violation of Section 87300 of the Government Code.

Count 2: As a designated employee of the California State Senate, Martha Uribes failed to file an assuming office statement of economic interests by May 23, 2001, in violation of Section 87300 of the Government Code.

¹ The Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

SUMMARY OF THE LAW

An express purpose of the Act, as set forth in Section 81002, subdivision (c), is to ensure that the assets and income of public officials, which may be materially affected by their official actions, be disclosed, so that conflicts of interest may be identified and avoided.

In furtherance of this purpose, Section 87300 requires every agency to adopt and promulgate a conflict of interest code. Section 87302, subdivision (a) provides that an agency's conflict of interest code must specifically designate the employees of the agency who are required to file statements of economic interests disclosing their reportable investments, business positions, interests in real property, and sources of income. Under Section 82019, subdivision (c), and Section 87302, subdivision (a), the individuals who are to be designated in an agency's conflict of interest code are the officers, employees, members, and consultants of the agency, whose position with the agency entails making, or participating in making, governmental decisions that may have a reasonably foreseeable material effect on one or more of the individual's economic interests.

Section 87302, subdivision (b) provides that under an agency's conflict of interest code, each designated employee must be required to file a statement of economic interest within 30 days of leaving office, disclosing his or her reportable economic interests for the period between the closing date of the last statement required to be filed and the date of leaving office.

Under the provisions of the California State Assembly conflict of interest code, each designated employee must file his or her leaving office statement of economic interests with the Assembly, which shall retain a copy of the statement and forward the original to the Fair Political Practices Commission (the "FPPC"), which has been designated in the Assembly's conflict of interest code, as the filing officer for the Assembly.

Section 87302, subdivision (b) provides that an agency's conflict of interest code must require every new designated employee to file an assuming office statement of economic interests within 30 days of assuming office, disclosing investments, business positions, and interests in real property held on, and income received during the 12 months before, the date of assuming office.

Under the provisions of the California State Senate conflict of interest code, each designated employee must file his or her assuming office statement of economic interests with the Senate, which shall retain a copy of the statement and forward the original to the FPPC, which has been designated in the California State Senate conflict of interest code, as the filing officer for the Senate.

Under Section 87300, the requirements of an agency's conflict of interest code have the force of law, and any violation of those requirements is deemed a violation of the Act.

SUMMARY OF THE FACTS

Respondent Martha Uribes was an Assembly Executive Secretary from May 5, 2000 to December 31, 2000. She then left the Assembly and assumed office as a Senate Legislative Aide/Press Secretary on April 23, 2001.

Count 1

Failure to File a Leaving Office Statement of Economic Interests

Respondent left office as an Assembly Executive Secretary on December 31, 2000. As an Executive Secretary, Respondent was a designated employee of the Assembly, and was therefore required to file a leaving office statement of economic interests by January 31, 2001. Respondent failed to file a leaving office statement of economic interests by the January 31, 2001 due date, in violation of Section 87300.

On March 8, 2001, Cynthia Fisher of the SEI unit of the FPPC sent a letter to Respondent informing her that she was required to file a leaving office statement of economic interests within 30 days of leaving office on December 31, 2000, and asking her to complete and return the statement form that she had enclosed with the letter.

On April 25, 2001, Ms. Fisher sent a second letter to Respondent, informing her that her leaving office statement of economic interests, that was due on January 30, 2001, had not been received, and asking her to file the statement by May 25, 2001.

Count 2

Failure to File an Assuming Office Statement of Economic Interests

Respondent assumed office as a Senate Legislative Aide/Press Secretary on April 23, 2001. As a Press Secretary, Respondent is a designated employee of the Senate, and was therefore required to file an assuming office statement of economic interests by May 23, 2001. Respondent failed to file an assuming office statement of economic interests by the May 23, 2001 due date, in violation of Section 87300.

On July 25, 2001, Ms. Fisher sent a third letter to Respondent following-up on her two letters about the delinquent leaving office statement discussed in Count 1 above, with added reference to the assuming office statement. Ms. Fisher informed Respondent that she was required to file an assuming office statement of economic interests within 30 days of assuming office on April 23, 2001, and asked her to file the statement immediately. Additionally, Ms. Fisher reminded Respondent that her leaving office statement of economic interests, that was due by January 31, 2001, had not been received, and requested that she file the leaving office statement as well.

On September 25, 2001, Ms. Fisher sent a fourth letter to Respondent, informing her that her leaving office statement of economic interests, that was due on January 30, 2001, and her assuming office statement of economic interests that was due on May 23, 2001, had not been received, and asking

Respondent to file both statements immediately.

On January 9, 2002, Ms. Fisher sent a fifth letter to Respondent, informing her that her leaving office statement of economic interests, that was due on January 30, 2001, and her assuming office statement of economic interests, that was due on May 23, 2001, had not been received. The letter further advised Respondent that her non-filing would be referred to the Enforcement Division of the FPPC if the delinquent statements were not received by January 19, 2002. In spite of these notices, Respondent still failed to file her leaving office and her assuming office statements of economic interests. The matter was then referred to the Enforcement Division.

On March 5, 2002, SEI Coordinator Mary Ann Kvasager of the Enforcement Division contacted Respondent by telephone, reminding her that her Assembly leaving office statement of economic interests and her Senate assuming office statement of economic interests were both past due, and telling her to file both statements immediately.

In response to that telephone call, Respondent filed her Assembly leaving office statement of economic interests and her Senate assuming office statement of economic interests on March 7, 2002.

CONCLUSION

This matter consists of two counts of violating Section 87300, which carries a maximum administrative penalty of Ten Thousand Dollars (\$10,000).

Because this case involves multiple violations, it was not resolved through the SEI Expedited Procedures Program. However, the violations are similar to those that are handled through the SEI Expedited Procedures Program, and under that program the Commission has approved fines in the range of \$200-\$300 for cases in which the respondent files a delinquent statement of economic interests within 30 days of being contacted by the SEI Coordinator. In this case, the violations occurred very close in time, and Respondent Martha Uribe filed her delinquent statements within 30 days of being contacted by the Enforcement Division SEI Coordinator. Therefore an administrative penalty for each of the violations in an amount that is equal to what is imposed under the program is appropriate.

The facts of this case, particularly the fact that Respondent filed her Assembly leaving office statement of economic interests and her Senate assuming office statement of economic interests two days after being contacted by the SEI Coordinator, justify imposition of the agreed upon penalty of Two Hundred Dollars (\$200) for each violation, for a total administrative penalty of Four Hundred Dollars (\$400).